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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,174	04/19/2001	Yoshiki Yasuda	1247-0441P	8418

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EXAMINER

SOHN, SEUNG C

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 04/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/837,174

Applicant(s)

YASUDA, YOSHIKI

Examiner

Seung C. Sohn

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figures 10-13 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, claim 4, which says that the structures of the two light emitting elements are different from each other, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**4. *Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Toshio et al. (Patent No. JP 9,199,756).***

**Referring to claim 1,** Toshio et al. shows in Fig. 1(a) the following elements of Applicant's claim:

a) an input section having a plurality of light emitting elements (2A) and lead terminals (1) for supplying a drive current to the light emitting elements (Paragraph 0025); and

b) an output section having a light receiving element (11) opposed to light emitting faces of the light emitting elements and lead terminals (10) for supplying a drive current to the light receiving element, wherein the plurality of light emitting elements are connected in series (Paragraph 0026).

**Referring to claim 2,** Toshio et al. shows in Fig. 2 that the plurality of light emitting elements are connected in series via a plurality of headers (2c, i.e., aluminum pattern) (Paragraph 0031).

**Referring to claim 3,** Toshio et al. shows in Fig. 8 at least one of the plurality of headers is provided with two light emitting elements (Paragraph 0048).

**Referring to claim 4**, Toshio et al. shows in Fig. 8 structures of the two light emitting elements are different from each other (Paragraph 0030).

**Referring to claim 5**, Toshio et al. shows in Fig. 8 at least one of the plurality of headers is a dummy header (82 or 85) (Paragraph 0054).

**Referring to claim 6**, Toshio et al. shows in Fig. 8 the dummy header is lead-cut from a lead frame inside a package which covers and protects the light emitting elements and the light receiving element (Paragraph 0054).

**Referring to claim 7**, Toshio et al. shows in Fig. 8 the dummy header is lead-cut from a lead frame outside a package which covers and protects the light emitting elements and the light receiving element. (Paragraph 0055)

**Referring to claim 8**, Toshio et al. shows in Fig. 1(a) the following steps of Applicant's claim:

a) forming an input section having a plurality of light emitting elements (2A) and lead terminals (1) for supplying a drive current to the light emitting elements (Paragraph 0025) and an output section having a light receiving element (11) opposed to light emitting faces of the light emitting elements and lead terminals (10) for supplying a drive current to the light receiving element (Paragraphs 0025 and 0026); and

b) connecting the plurality of light emitting elements in series via a plurality of headers (2c), at least one of the plurality of headers being a dummy header; and tie-bar cutting and lead cutting the dummy header at the same time (Paragraph 0031).

**Referring to claim 9**, Toshio et al. shows in Fig. 8 a lead-cut portion of the dummy header is disposed in the vicinity of a tie-bar cut portion (Paragraph 0032).

**Referring to claim 10**, Toshio et al. shows in Fig. 1(a) the following steps of Applicant's claim:

a) forming an input section having a plurality of light emitting elements (2A) and lead terminals (1) for supplying a drive current to the light emitting elements and an output section having a light receiving element (11) opposed to light emitting faces of the light emitting elements and lead terminals (10) for supplying a drive current to the light receiving element (Paragraph 0025 and 0026); and

b) connecting the plurality of light emitting elements in series via a plurality of headers (2c), at least one of the plurality of headers being a dummy header, wherein a lead frame is used in which the dummy header is connected to a header of another channel adjacent to the dummy header via a connecting member (Paragraph 0031 and 0032).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Park (Patent No. US 4,794,431)** discloses a package for a photoactivated semiconductor device that includes a planar lead pattern.

**Brown et al. (Patent No. US 5,489,800)** discloses a architecture of a surface mount package single plane lead-frame.

**Bliss (Patent No. US 5,753,929)** discloses a multi-directional optocoupler.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seung C. Sohn whose telephone number is (703) 308-4093. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seungsook Ham can be reached on (703) 308-4090. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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April 16, 2002



Kevin Pyo  
Primary Examiner